UNITED
NATIONS

Distr.
LIMITED

FCCC/SBI/1997/L.1
28 February 1997

Original: ENGLISH

SUBSIDIARY BODY FOR IMPLEMENTATION
Fifth session
Bonn, 25-28 February 1997

DRAFT CONCLUSIONS SUBMITTED BY THE CHAIRMAN

1. On the basis of proposals presented by the Chairman, the Subsidiary Body for Implementation (SBI) adopted the following conclusions:

2. ORGANIZATIONAL MATTERS

C. Election of officers other than the chairman

2. At the first meeting of the SBI, the Chairman announced that, as a result of the informal consultations which he conducted, agreement has been reached on the election of officers other than the Chairman. Mr. José Romero (Switzerland) has been nominated vice chairman and Ms. Patricia Iturregui Byrne (Peru) has been nominated rapporteur. The SBI elected these officers by acclamation and the Chairman congratulated them on behalf of the SBI.

3. NATIONAL COMMUNICATIONS

A. Communications from parties included in annex I to the Convention

3. The SBI took note of the report of the secretariat on the progress made in the process of review of the first national communications from Parties included in Annex I to the

Convention and urged the secretariat to publish pending IDR reports as soon as it is practicable.

4. The SBI encouraged Parties included in Annex I to the Convention to submit second national communications and inventory data by 15 April 1997. It also noted with appreciation that one Annex I Party had already submitted its second national communication to the secretariat.

5. The SBI welcomed the convening of the informal workshop and took note of the oral report of its Chairmen. It concluded that the workshop served a useful purpose in allowing Parties and observers to exchange information and views on the implementation aspects of specific policies and measures taken by Parties included in Annex I to the Convention. It also requested the secretariat to explore possibilities of exchanging experiences on the implementation of the Convention, including, by further convening workshops on specific topics, in conjunction with future sessions of the SBI.

B. Communications from parties not included in annex I to the Convention

6. The SBI took note of the activities undertaken by the secretariat to facilitate the provision of support to non-annex I Parties for the preparation of their initial national communications described in document FCCC/SBI/1997/INF.1, and requested the secretariat to continue to report to the SBI at future sessions on further progress achieved.

4. FINANCIAL AND TECHNICAL COOPERATION

A. Financial mechanism: review process referred to in decision 9/CP.1

Conclusions to be provided.

B. Information on relevant action by the Council of the Global Environment Facility

Conclusions to be provided.

5. DEVELOPMENT AND TRANSFER OF TECHNOLOGIES

7. The SBI took note of the workshop on technology transfer held during this session, and further noted that the SBSTA intended to have a comprehensive debate on technology and technology transfer. The SBI decided to defer the consideration of item 5 and requested the SBSTA to refer to it, as necessary, and items that may require the attention of the SBI.

6. ADMINISTRATIVE AND FINANCIAL MATTERS

A. Programme budget for 1998-1999: perspectives on financial requirements

8. The SBI endorsed the following timetable and process for the review and adoption of the programme budget for the biennium 1998-1999:

(a) A comprehensive programme budget will be proposed in a timely manner by the Executive Secretary for consideration at SBI 6 (July 1997), which will complete its review of the budget at that session and recommend a budget decision to the COP for adoption;

(b) The recommended decision will follow the precedent of that adopted by COP 1 (FCCC/CP/1995/7/Add.1, decision 17/CP.1), providing a total budget with allocations by programme, a secretariat-wide staffing table broken down by level and a provision enabling the Executive Secretary to switch resources among programmes within limits;

(c) On account of prevailing uncertainties, some elements of the programme budget may have to be recommended by the SBI as contingencies, depending on decisions of COP 3 or the United Nations General Assembly at its fifty-second session;

(d) On the basis of its recommended budget decision, the SBI will authorize the Executive Secretary to notify the Parties by 1 October 1997 of their indicative contributions due to the core budget by 1 January 1998;

(e) The decision on the programme budget will be adopted by COP 3 as recommended by the SBI, except for any modifications that may result from other decisions of COP 3;

(f) Information on financial performance in 1996-1997 will be provided to COP 3, in accordance with decision 16/CP.2, paragraph 14 (see FCCC/CP/1996/15/Add.1).

9. The SBI requested the Executive Secretary to propose a programme budget for the biennium 1998-1999, for consideration by SBI 6, taking account of the views expressed by delegations at SBI 5.

10. The SBI requested the Chairman of the SBI to consider convening broadly representative informal intersessional consultations to facilitate agreement on the programme budget at SBI 6.

B. Volume of documentation

11. The SBI recalled decision 17/CP.2 of the Conference of the Parties at its second session, whereby it requested the Executive Secretary to submit to the SBI, at its fifth session, further options for reducing the cost of documentation for the meetings of the Conference of the Parties and its subsidiary bodies. The SBI took note that the Executive Secretary required more time to prepare recommendations on this matter and would submit them to the SBI at its sixth session.

12. The SBI also took note of the policy being applied by the United Nations Office at Geneva, in accordance with General Assembly resolution 36/117B, of 10 December 1981, not to distribute official documents until all language versions are ready for simultaneous distribution. In the light of this policy, the SBI recommended that the

agendas of the Convention bodies should, as far as possible, include only items for which the documents were expected to be available in advance in all the official languages. The SBI considered that there were some documents whose consideration could not be scheduled this way, for example the annotated agendas and the reports of sessions of Convention bodies, and the documentation of the Ad Hoc Group on the Berlin Mandate.

13. In the light of these considerations, the SBI requested the Executive Secretary to explore with the United Nations Office at Geneva the possibility that, when justified, certain documents may exceptionally be distributed in each language, as available.

7. LEGAL MATTERS

A. Implementation of the headquarters agreement

14. The SBI took note of the actions by the United Nations and the Government of the Federal Republic of Germany to complete the formal requirements for the entry into force of the Agreement among the United Nations, the Government of the Federal Republic of Germany and the secretariat of the United Nations Framework Convention on Climate Change concerning the headquarters of the Convention secretariat, and requested the secretariat to provide to the SBI, relevant information at its next session.

B. Action by the depositary of the Convention

15. The SBI took note of the opinion provided by the Treaty Office of the United Nations Office of Legal Affairs on the request of the Czech Republic and the Slovak Republic that the name of Czechoslovakia be deleted from Annex I to the Convention, and that the names of the Czech Republic and the Slovak Republic be included in Annex I and decided to recommend to the Conference of the Parties (COP) to take up the request from the Czech and Slovak Republics when it comes to review the lists in Annexes I and II to the Convention.

8. MATTERS ARISING FROM THE UNITED NATIONS GENERAL ASSEMBLY

A. Special session on Agenda 21: inputs from UNFCCC

16. The SBI endorsed the elements contained in document FCCC/SBI/1997/4 as revised and requested the Executive Secretary to forward them to the special session on Agenda 21 of the United Nations General Assembly.

B. Action by the General Assembly at its 51st session

17. The SBI took note of the action taken by the United Nations General Assembly, at its 51st session, on matters related to the Climate Change Convention and requested the Executive Secretary to report on the review of administrative arrangements at its sixth session.

9. ARRANGEMENTS FOR INTERGOVERNMENTAL MEETINGS

A. The third session of the Conference of the Parties

18. The SBI took note with satisfaction of the arrangements that are being made by the Government of Japan as the host Party of COP 3 and it looked forward to additional information concerning these arrangements, in particular on the conclusion of a memorandum of understanding between the Government of Japan and the secretariat of the UNFCCC related to the hosting of the session at Kyoto, Japan.

19. The SBI requested the Executive Secretary to provide a note at its sixth session, containing a list of possible elements for the provisional agenda for COP 3 focused on the completion of the work of the Berlin Mandate and its adoption and taking account of views expressed at its current session.

20. Regarding the organization of work of COP 3, SBI decided that:

(a) COP 3 will be held from Monday, 1 to Wednesday, 10 December 1997.

(b) After dealing with the opening and organizational matters, COP 3 will immediately allocate the completion of decisions on the Berlin Mandate process to a sessional committee of the whole, open to all delegations.

(c) In order to finalize the political negotiations on the outcome of the Berlin Mandate, a ministerial segment will take place from Monday, 8 December to Wednesday, 10 December when the final text of the protocol, or another legal instrument, will be adopted, and

(d) The review of the lists in Annexes I and II to the Convention should be on the agendas of COP 3 and COP 4.

21. The SBI requested the secretariat to propose at its sixth session a cost effective and innovative way of organizing the ministerial segment, and providing ministers with adequate opportunities to exchange views on policy matters.

22. It also requested the secretariat to propose arrangements for the communication of views by heads of United Nations programmes and agencies, IGOs and NGOs.

B. Calendar of meetings for 1997-1999

23. With regard to COP 4, the SBI decided that it would recommend at its sixth session, after consideration of the potential offers to host the Conference, the date and venue of COP 4, in accordance with the provisions of the Convention. It called on Parties to submit offers to host COP 4 by its sixth session.

24. The SBI took note of the calendar of meetings for 1997, and requested the secretariat to propose at its sixth session a calendar of meetings for 1998-1999 based on holding two blocks of sessions of the Convention bodies each year, each block comprising two weeks of meetings (see document FCCC/SBI/1996/5, para.22).

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